

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MILTON D. “PETE” DUNN

PLAINTIFF

V.

NO. 4:21-CV-136-DMB-JMV

AGRISOMPO NORTH AMERICA, INC.

DEFENDANT

ORDER

On November 19, 2021, Agrisompo North America, Inc. filed a response in opposition to Milton Dunn’s motion to remand.¹ Doc. #19. Because the response fails to comply with procedural requirements imposed by this Court’s Local Rules,² the response [19] is **STRICKEN**. However, within seven (7) days from the entry of this order, Agrisompo may refile its response to the motion to remand in accordance with the Local Rules. If refiled, the response may not include new arguments or new authority.

SO ORDERED, this 24th day of November, 2021.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE

¹ Dunn’s request for remand is part of a motion in which he also requests an extension to reply in support of a pre-removal motion for preliminary injunction he filed in state court. Doc. #12. Agrisompo’s response addresses both the request for remand and the request for extension—it opposes remand but does not oppose the extension. *See* Doc. #19 at 1 & n.1.

² Pursuant to Local Rule 7(b)(4), “[c]ounsel for respondent must, ... after service of movant’s motion and memorandum brief, file a response and memorandum brief in support of the response.” Local Rule 7(b)(2) requires a memorandum brief to be filed as “a separate docket item from the ... response.” Agrisompo’s response is not accompanied by a separately-filed brief and Agrisompo has not requested that the separate brief requirement be waived. Additionally, in a footnote, Agrisompo seems to ask that Dunn be required to comply with an expedited briefing schedule regarding his motion for preliminary injunction at some point in the future after the motion to remand is decided. *See* Doc. #19 at 1 n.1. To the extent Agrisompo requests such relief, Local Rule 7(b)(3)(C) prohibits the inclusion of a counter-motion in the same document as a response; rather, a “motion must be an item docketed separately from a response.”